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## BEFORE THE ARIZONA CORPORATION COMMISSION

**COMMISSIONERS**

Arizona Corporation Commission

BOB STUMP - Chairman

**DOCKETED**

GARY PIERCE

AUG 12 2014

BRENDA BURNS

BOB BURNS

SUSAN BITTER SMITH

DOCKETED BY

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**IN THE MATTER OF THE APPLICATION  
OF COMMUNITY WATER COMPANY OF  
GREEN VALLEY FOR APPROVAL OF A  
SURCHARGE FOR IMPLEMENTATION  
OF ITS PROPOSED BEST MANAGEMENT  
PRACTICES.**

DOCKET NO. W-02304A-10-0220

DECISION NO. 74687

ORDER MODIFYING DECISION NO. 72489

Open Meeting  
July 22, 2014  
Phoenix, Arizona

**BY THE COMMISSION:**

Having considered the matter and having voted (in Decision No. 74586) to eliminate the requirement that Community Water Company of Green Valley ("CWCGV") implement tariffs for Best Management Practices ("BMP's"), the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

**FINDINGS OF FACT**

1. In Decision No. 71478, the Commission ordered Community Water Company of Green Valley ("CWCGV") to submit for Commission consideration within 120 days of the effective date of the Decision, at least five BMPs (as outlined in ADWR's Modified Non-Per Capita Conservation Program ("NMPCCP")).

2. On September 12, 2011, in compliance with Decision No. 71478, CWCGV filed five BMP tariffs.

1           3.       On July 25, 2011, in Decision No. 72489, the Commission approved the five above  
2 referenced BMP tariffs for CWCGV.

3           4.       Subsequently on June 13, 2014, CWCGV filed a "Motion to Eliminate BMP Tariffs  
4 Requirement Under A.R.S. § 40-252." CWCGV requested that the Commission amend Decision  
5 Nos. 71478 and 72489, in order to eliminate CWCGV's BMP tariffs requirement.

6           5.       CWCGV indicated that its request to eliminate the BMP tariff requirements is due to  
7 several factors including that it already participates in in the Arizona Department of Water Resources  
8 MNPCCP, that it is an active member of the Water Conservation Alliance of Southern Arizona  
9 ("WaterCASA"), and that some of the additional BMPs impose increased costs to CWCGV.

10          6.       On July 22, 2014, at a Commission Staff Open Meeting and with notice and  
11 opportunity to be heard, the Commission considered the matter. No party to the matter objected to  
12 the grant of CWCGV's request.

13          7.       The requirement that CWCGV maintain five BMPs pursuant to Decision No. 71478  
14 was eliminated by the Commission in Decision No. 74586, and with the elimination of this BMP  
15 requirement, Decision No. 72489 is rendered moot.

16                               **CONCLUSIONS OF LAW**

17  
18          1.       CWCGV is a public service corporation within the meaning of Article XV of the  
19 Arizona Constitution and A.R.S. §§ 40-281 and 40-282

20          2.       The Commission has jurisdiction over Community Water Company of Green Valley  
21 and over the subject matter herein pursuant to Article XV of the Arizona Constitution and A.R.S. §  
22 40-252.

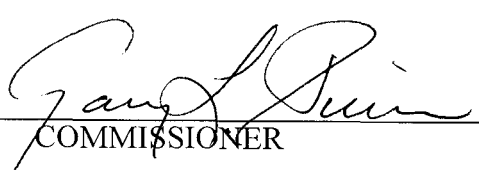
23          3.       The requirement that CWCGV maintain five BMPs pursuant to Decision No. 71478  
24 was eliminated by the Commission in Decision No. 74586, and with the elimination of this BMP  
25 requirement, Decision No. 72489 that approved CWCGV's five BMPs, is rendered moot.  
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**ORDER**

IT IS THEREFORE ORDERED that Decision No. 72489, wherein the Commission approved five BMPs for CWCGV, is rendered moot by the elimination of CWCGV's BMP requirement in Decision No. 74586.

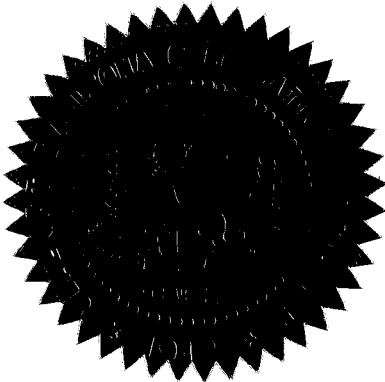
IT IS THEREFORE ORDERED that this decision shall become effective immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**
  
 CHAIRMAN

  
 COMMISSIONER

  
 COMMISSIONER

  
 COMMISSIONER

  
 COMMISSIONER


IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 12<sup>th</sup> day of August, 2014.

  
 JODI JERICH  
 EXECUTIVE DIRECTOR

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

1 SERVICE LIST FOR: COMMUNITY WATER COMPANY OF GREENT VALLEY  
DOCKET NO.: W-02304a-10-0220

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